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SHORT PROCEEDINGS AND ORDERS DATE: 106/06/91

CASE NBR: 1301074631 CFH STATUS: (DECIDED) 1
SHORT TITLE: Gaskins, Donald i
VERSUS Mickellar, Warden) DATE DOCKETED: 1031531)
*** CAPITAL CASE -- No date of execution set *** PAGE: 1021
*****DATE*****NOTE*****PROCEEDINGS & ORDERS*****
1 Feb 4 1991 D Application (A30-536) to extend the time to file a petition
for a writ of certiorari from February 14, 1991 to March
18, 1991, submitted to The Chief Justice.
2 Feb 7 1991 Application (A30-536) granted by the Chief Justice
extending the time to file until March 18, 1991.
3 Mar 15 1991 D Petition for writ of certiorari and motion for leave to
proceed in forma pauperis filed.
4 Apr 16 1991 Brief of respondent Kenneth D. Mickellar, Warden in
opposition filed.
5 Apr 22 1991 Reply brief of petitioner Donald H. Gaskins filed.
6 Apr 23 1991 DISTRIBUTED: May 3, 1991
7 May 24 1991 REDISTRIBUTED: May 30, 1991
11 Jun 3 1991 Petition DENIED. Concurring opinion by Justice Stevens,
Justice Blackmun would grant certiorari, vacate the
judgment and remand to the United States Court of
Appeals for the Fourth Circuit for further consideration
in light of *Yates v. Evatt*, 500 U. S. ---- (1991).
*** Related Case - Use VIDE,L5 with HF ***

Last page of docket

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in light of *Yates v. Evatt*, 500 U. S. ---- (1991).
(Detached opinion.) Justice Marshall dissenting.
Adhering to my view that the death penalty is in all
circumstances cruel and unusual punishment prohibited by
the Eighth and Fourteenth Amendments, *Gregg v. Georgia*,
428 U.S. 153, 231 (1976), I would grant certiorari and
vacate the death sentence in this case.